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7   UNITED STATES DISTRICT COURT

8   NORTHERN DISTRICT OF CALIFORNIA

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10   VINTON FROST,   Case No. 20-mc-80186-RS

              Plaintiff,

11

      v.
12   **ORDER ADOPTING REPORT AND
                                                 RECOMMENDATION**
      EDWARD M. CHEN,
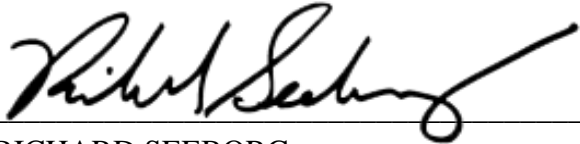13
              Defendant.
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15   The assigned magistrate judge issued a Report and Recommendation advising that this

16   action be dismissed as improperly filed and for failure to state a claim. No objections to the Report

17   and Recommendation have been filed, and the time for doing so has expired. For the foregoing

18   reasons, the Report and Recommendation is adopted in full, and this action is hereby dismissed.

19   Plaintiff seeks to file a complaint against Judge Edward M. Chen for designating him a

20   vexatious litigant in an Order issued on March 18, 2020. *Frost v. United States*, No. 19-CV-

21   05190-EMC, 2020 WL 1288326, (N.D. Cal. Mar. 18, 2020) ("the Order"). In the Order, Plaintiff

22   was barred from filing any complaint with "any claims against any federal entity or any current or

23   former federal employee, including individual current or former federal employees acting in their

24   official or individual capacities, unless and until that complaint has first been reviewed by the

25   general duty judge of this Court and approved for filing." Id. at *9. The complaint Plaintiff seeks

26   now to file is precisely the kind of complaint he was barred from being able to file based on the

27   Order. The magistrate judge's Report and Recommendation sets forth the reasons to deny

28   Plaintiff's request to seek approval to file his complaint, and why Plaintiff's complaint should be

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Northern District of California

dismissed with prejudice. The Report and Recommendation is hereby adopted and Plaintiff is prohibited from filing his complaint, and his complaint is dismissed with prejudice for failure to state a claim.

IT IS SO ORDERED.

Dated: December 12, 2023

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RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California

<< SHORT ORDER TITLE >>
CASE NO. 20-mc-80186-RS

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